

## TESTIMONY OF STEVEN LERICHE ON HB 2002

Chair Bynum, Members of the Judiciary Committee

I have worked in a district attorney's office since 1998. I have served as a prosecutor and defense attorney in the U.S. Army. I have served as a special assistant US Attorney for the Western District of Washington. This background has allowed me to see three distinct criminal justice systems.

Largely due to Measure 11, Oregon has had one of the best functioning criminal justice systems in the United States.

The statistics are undeniable: Before Measure 11 (1994) only 19 states in the US had higher violent crime rates. By 2012 Oregon led the nation in the reduction of violent crimes, a reduction of more than 50%.

Opponents of Measure 11 argue it removes judicial discretion. This is disingenuous. I frequently make open sentence plea offers to defense attorneys and they are seldomly accepted. The defendants want certainty in their sentences, and they do not trust the judges with their fate.

Recall, why the people voted in Measure 11. People were angered by judicial sentences that were not proportionate to the seriousness of the offense. Also, non-determinative sentences allowed for subjectivity that caused more disparate treatment between offenders. Measure 11 was one of the first efforts at progressive reform in Oregon's justice system. It operates to insure that people who are convicted of the same offense receive the same sentence regardless of their race, socioeconomic status, or any other discriminatory factor. Recall, the California case of the Stanford athlete who was convicted of assault with intent to commit rape of an intoxicated/unconscious person, penetration of an intoxicated person, and penetration of an unconscious person. He faced up to 14 years in prison but was sentenced to six months in county jail. He served just three months. People from elite backgrounds, from wealth and from power, should not be given an advantage. Under Measure 11, this is less likely to happen. In fact, under Measure 11, incarceration rates for minorities have dropped!

HB 2002 also proposes to reduce the sentence for Sex Abuse in the First Degree and Assault in the Second Degree. Why would we ever consider reducing sentences for the offenders of children or victims of intoxicated drivers who suffer enormous and sometimes life-changing injuries? There have been no world-changing developments that cure child sex offenders from having inappropriate feelings towards children or remove scars and return the function of limbs. Reducing sentences for child molesters and individuals who cause serious physical injury provides no benefit to society; in fact, such actions dramatically reduces protection of our society. Oregonians deserve to be protected as much as possible, particularly our children.

The people of Oregon are frustrated and ignored. Recently, multiple laws voted upon and approved by the people have been overturned by the legislature: Measure 57, Juvenile Measure 11, and redefining aggravated murder to circumvent the death penalty. Furthermore, the pandemic has increased government control over people, and it has increased their frustration. It was the people who supported implementation of Measure 11, and it should be the people who are given the opportunity to vote on the plan that best provides justice and safety for Oregon.